

94-429-A

419



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

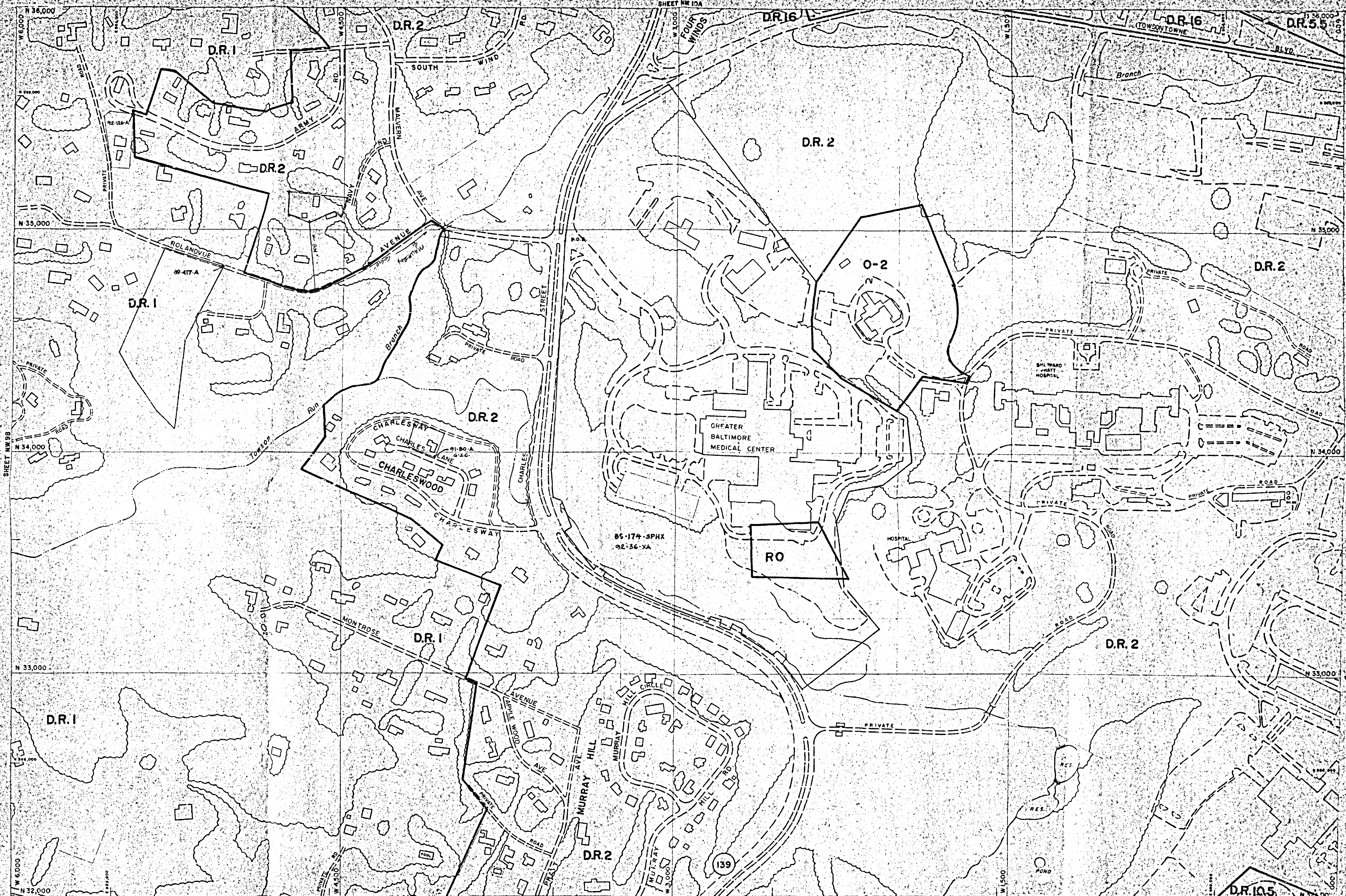
PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	RUXTON	N.W.
DATE OF PHOTOGRAPHY JANUARY 1986	TOWSON	9-A

ENCLOSURE

(X)

#419



0-NE N-NW

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
[Signature]
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BALTIMORE COUNTY
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1992 COMPREHENSIVE ZONING MAP
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SCALE 1" = 200'	LOCATION RUXTON TOWSON	SHEET NW 9-A
DATE OF PHOTOGRAPHY JANUARY 1986		

94.429.A

Item Number: 419
Planner: JEF
Date Filed: 5-15-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- _____ Descriptions, including accurate beginning point
- _____ Actual address of property
- _____ Zoning
- _____ Acreage
- _____ Plats (need 12, only _____ submitted)
- _____ 200 scale zoning map with property outlined
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- _____ Notary Public's section is incomplete and/or incorrect and/or commission has expired
- ☒ OWNERS' NAMES DIFFERENT - BACK AND FRONT OF PETITION FORM

PET-FLAG (TEXTSOPH)
11/17/93

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 23, 1994

Mr. and Mrs. John B. Pabst
906 Rolandvue Avenue
Baltimore, Maryland 21204

RE: Case No. 94-429-A, Item No. 419
Petitioner: John B. Pabst, et ux.
Petition for Administrative Variance

Dear Mr. and Mrs. Pabst:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on May 2, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-17-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: *419 (JRF)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for *DAVID N. KATZ* ACTING CHIEF
John Contestable, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/17/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL: 5100-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Settlement:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Prevention Bureau has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 415, 416, 417, 418, 419, 420, 421, 422, 423.

RECEIVED
MAY 18 1994
ZADM

REVIEWER: LT. ROBERT F. SAUERHAUD
Fire Marshal Office, PHONE: 887-4881, DS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 18, 1994

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 401, 403, 408, 413, 415, 416, 417, 418, 419, 421, 422, 425 and 426.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carol L. Kern*

PK/JL:lw

ZAC 401/PZONE/ZAC1

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 12, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: John and Mary Pabst
906 Rolandvue Avenue
Buxton, Maryland 21204

Re: CASE NUMBER: 94-429-A (Item 419)
906 Rolandvue Avenue
N/S Rolandvue Avenue, 660' W of c/l Halverstone Avenue
9th Election District - 4th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 16, 1994. The closing date (May 31, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

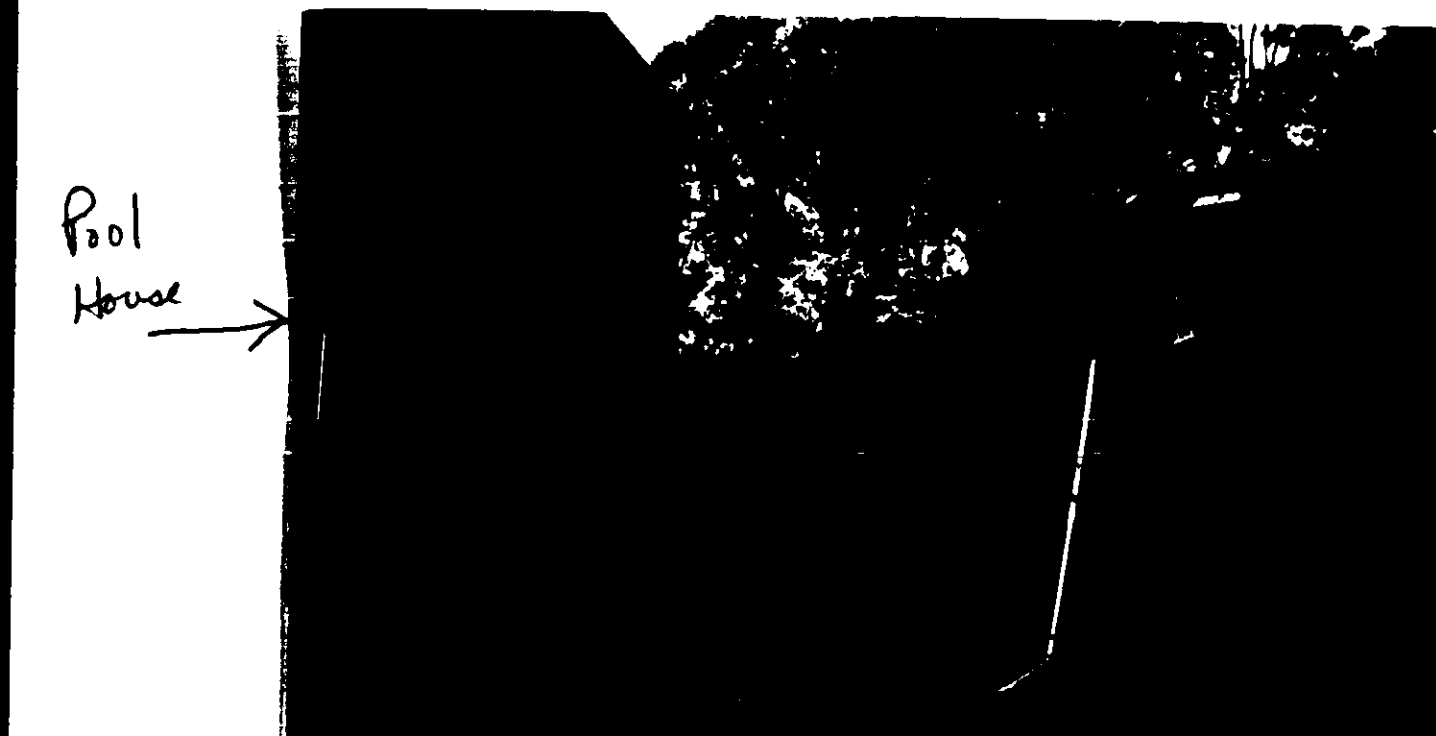
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

cc: David B. Argento

Printed with Soybean Ink
on Recycled Paper



IN RE: PETITION FOR ADMINISTRATIVE VARIANCE
ZONING VARIANCE
N/S Rolandue Avenue, 660 ft. W
of 41 Malverne Avenue
906 Rolandue Avenue
9th Election District
4th Councilmanic District
John B. Pabst, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by John B. Pabst and Mary S. Pabst, his wife, for that property known as 906 Rolandue Avenue in the Ruxton section of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (pool house) to be located in the side yard of the property, in lieu of the rear yard, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of June, 1994 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (pool house) to be located in the side yard of the property, in lieu of the rear yard, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:mmm

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Lawrence E. Schmidt

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 2, 1994

Mr. and Mrs. John B. Pabst
906 Rolandue Avenue
Ruxton, Maryland 21204

RE: Petition for Administrative Variance
Case No. 94-429-A
Property: 906 Rolandue Avenue

Dear Mr. and Mrs. Pabst:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 906 Rolandue Ave. Towson, MD 21204
which is presently zoned DR-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 BCZR To Allow accessory structure (pool house) to be located in the side yard of the property in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Due to the topography and configuration of the lot, there is no where else within the boundaries of the back yard to place the pool house without unreasonably preventing the use of the property for its intended purpose. Further, relocating the pool house where it would most practically integrate with the topography, if compelled to do so, would serve to diminish the view now enjoyed by our neighboring neighbors. This structure replaces a 1950's style bunker/fortified shed. Also, the owners have gone to great expense and deliberations to construct the pool house so that it is in harmony with the existing residence. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lessee
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner
(Type or Print Name)
Signature
Address
City State Zipcode

Legal Owner(s)
John Brian Pabst
John Brian Pabst
Mary S. Pabst
906 Rolandue Ave. 821-8833
Ruxton MD 21204
David B. Argento
810 Box 215 Union Bridge, MD 876-2723
21791

A Public Hearing having been requested and/or found to be required, it is ordered, by the Zoning Commissioner of Baltimore County, this day of June, 1994, that the subject matter of this petition be set for a public hearing, advertised, or requested by the Zoning Regulations of Baltimore County, in the newspaper of general circulation throughout Baltimore County, and that the property be reported.

REVIEWED BY: JH DATE: 5/2/94
ESTIMATED POSTING DATE: 5/15/94

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on Recycled Paper

ITEM #: 419

Affidavit in support of
Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does presently reside at 906 Rolandue Avenue, Ruxton, Maryland 21204.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

Due to the topography and configuration of the lot, there is no where else within the boundaries of the back yard to place the pool house without unreasonably preventing the use of the property for its intended purpose.

Further, relocating the pool house where it would most practically integrate with the topography, if compelled to do so, would serve to diminish the view now enjoyed by our neighboring neighbors. This structure replaces a 1950's style bunker/fortified shed.

Also, the owners have gone to great expense and deliberations to construct the pool house so that it is in harmony with the existing residence.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

David B. Argento
David B. Argento
Notary Public for the State of Maryland

I HEREBY CERTIFY, this 24 day of APRIL, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

David B. Argento

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/his knowledge and belief.

AS WITNESS my hand and Notary Seal.

4/29/94

My Commission Expires: 5-1-96

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 906 Rolandue Avenue, Ruxton
Election District 9 Councilmanic District 01

Beginning at a point on the North side of Rolandue Avenue (north, south, east or west)

which is 660' West of the E. Malverne Ave (number of feet of right-of-way width)

wide at a distance of (number of feet) (north, south, east or west) of the

centerline of the nearest improved intersecting street (name of street)

which is (number of feet of right-of-way width) wide. *Being Lot #

Block N/A, Section # N/A in the subdivision of

N/A as recorded in Baltimore County Plat

Book # 5469, Folio # 468, containing

25.657 sq. ft. of 6.79 acres.

Thence 304.12' ± North to pt of beginning - 0° 03' 02" 30" W 94.22'

② 710' 00" 00" E 104' 00" 00" S 73° 51' E 272.32' ③ 526' 00" 00" W 94° 41' 00" S 73° 51' E

*If your property is not recorded by Plat Book and Folio Number, W-48.69'

then DO NOT attempt to use the Lot, Block and Subdivision

description as shown, instead state: "As recorded in Deed

④ 518' 00" 00" W 127.25' TO

Liber Folio " and include the measurements and

directions (metes and bounds only) here and on the plat in the

correct location. Beginning point.

Example of metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 27' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

419

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9A Date of Posting 5/13/94
Posted for: Variance
Petitioner: John & Mary Pabst
Location of property: 906 Rolandue Ave, N/S, 660' of Malverne Ave
Location of Sign: 2x6x9 sign on property being zoned
Remarks:
Posted by: *David B. Argento* Date of return: 5/19/94
Number of Signs: 1



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: B-001-4180

Number 419

Date 5/2/94

Pabst -- 906 Rolandue Ave.

OIO - Variance \$50.00

O&U - Sign \$35.00

\$85.00

0340380077H1HCRC

BA C002153PH05-02-94

\$85.00

Please Make Checks Payable To: Baltimore County

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be assessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 419

Petitioner: John Brian & Mary Pabst
Location: 906 Rolandue Avenue, Ruxton, Md 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: David B. Argento

ADDRESS: P.O. Box 215, 2 WHITE STREET

UNION BRIDGE, MARYLAND 21791

* PHONE NUMBER: 401-836-4123

*MUST BE SUPPLIED

94-429-A

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OFFICE OF PLANNING AND ZONING
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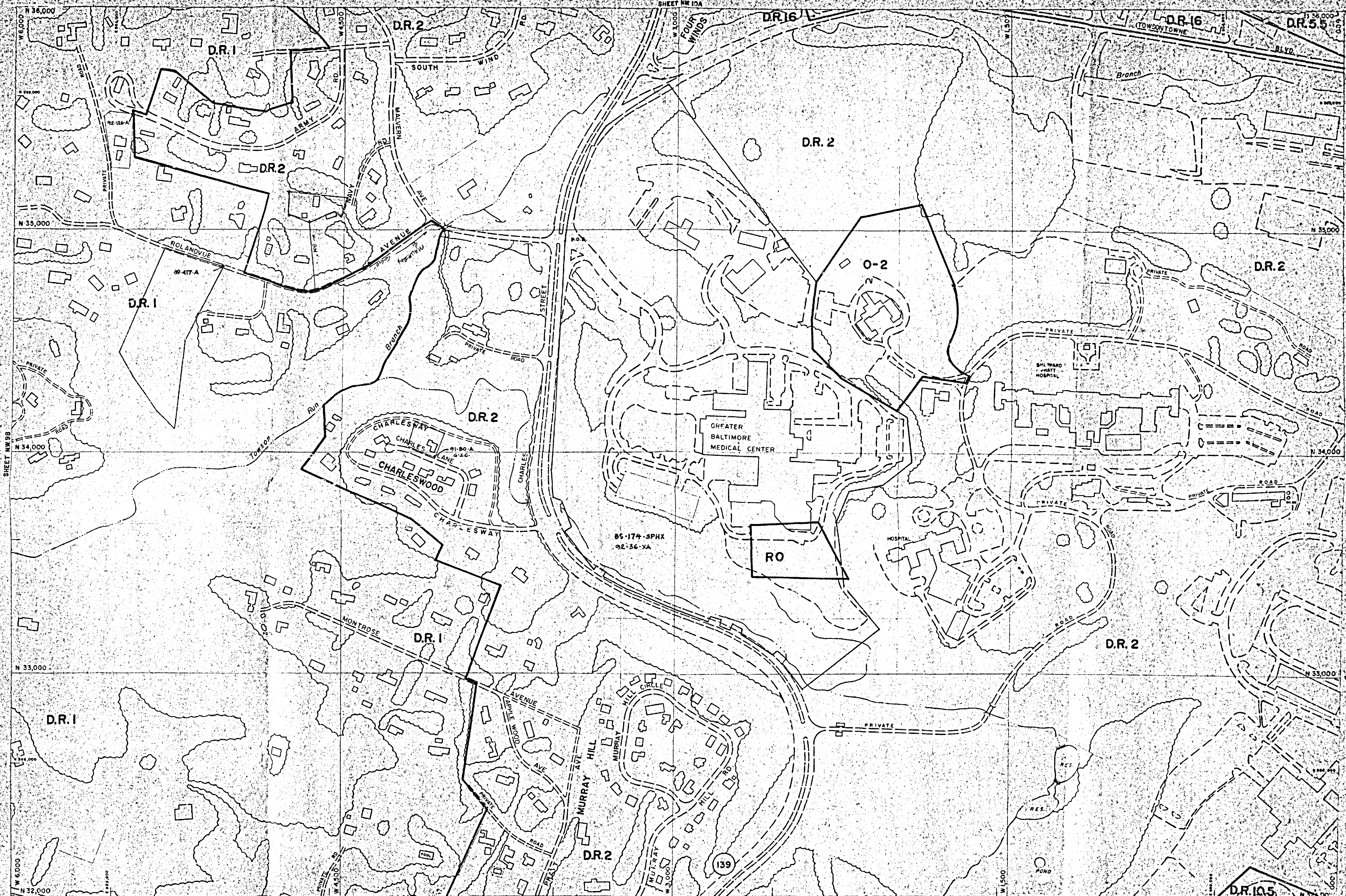
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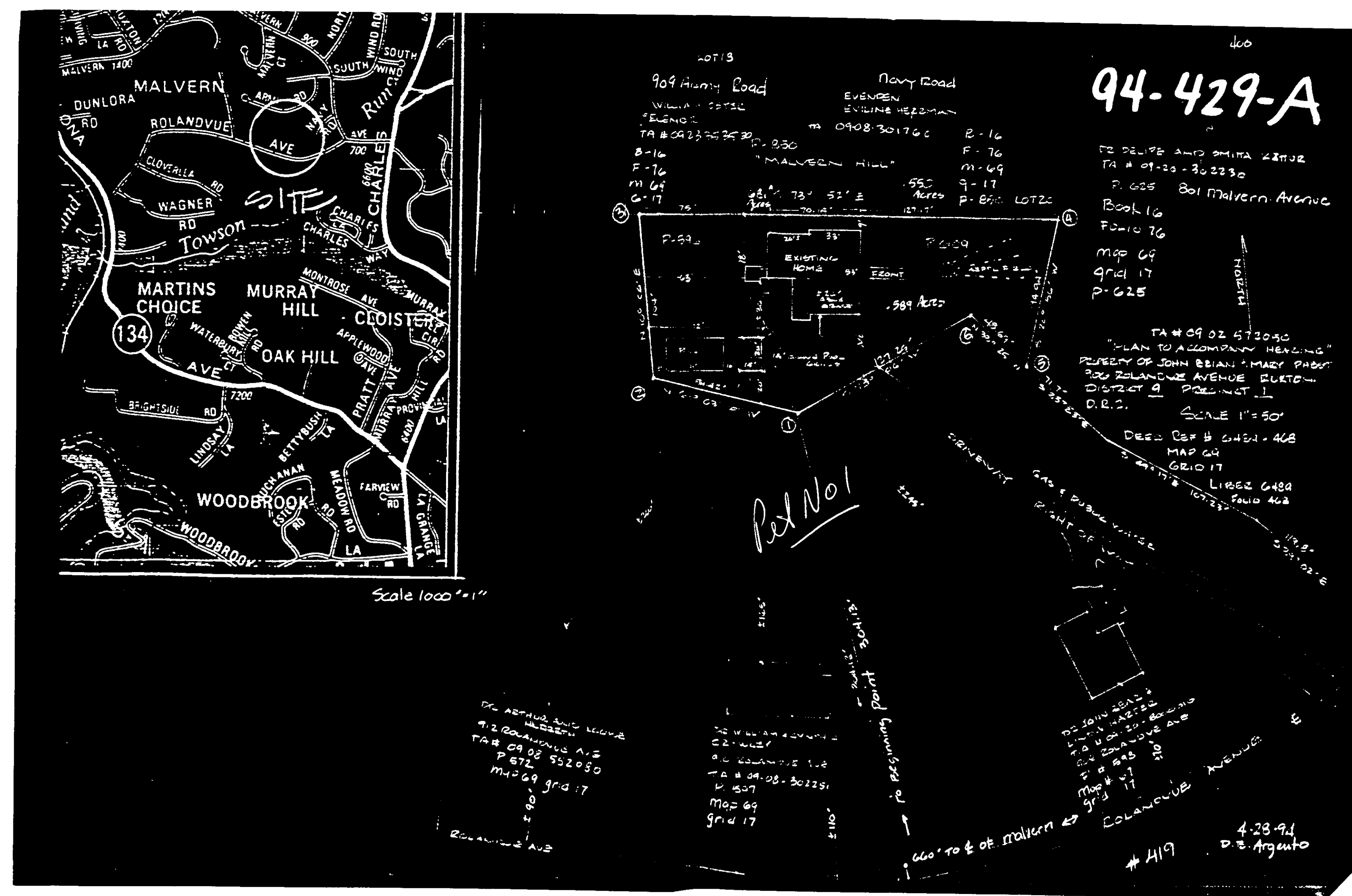
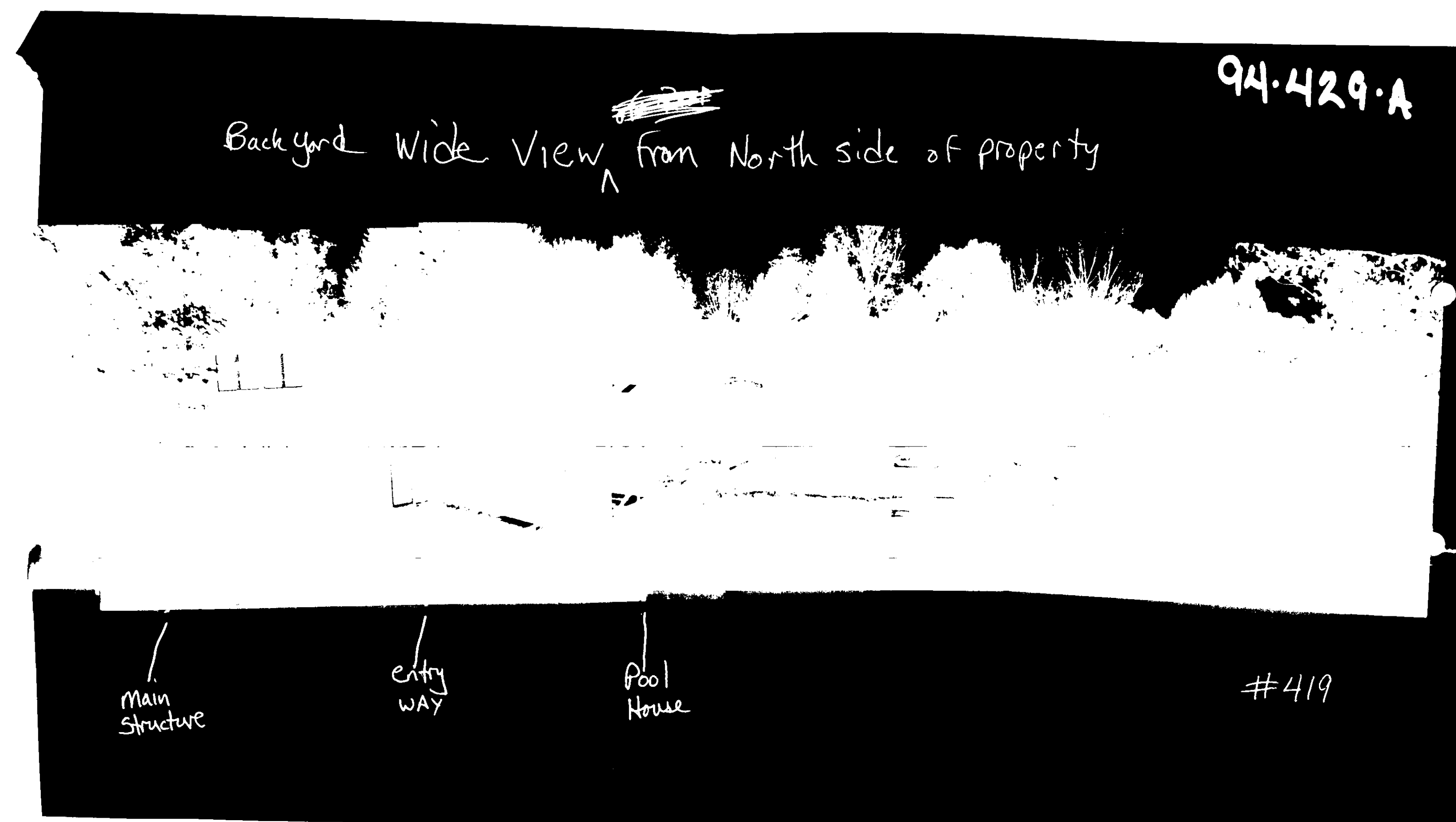
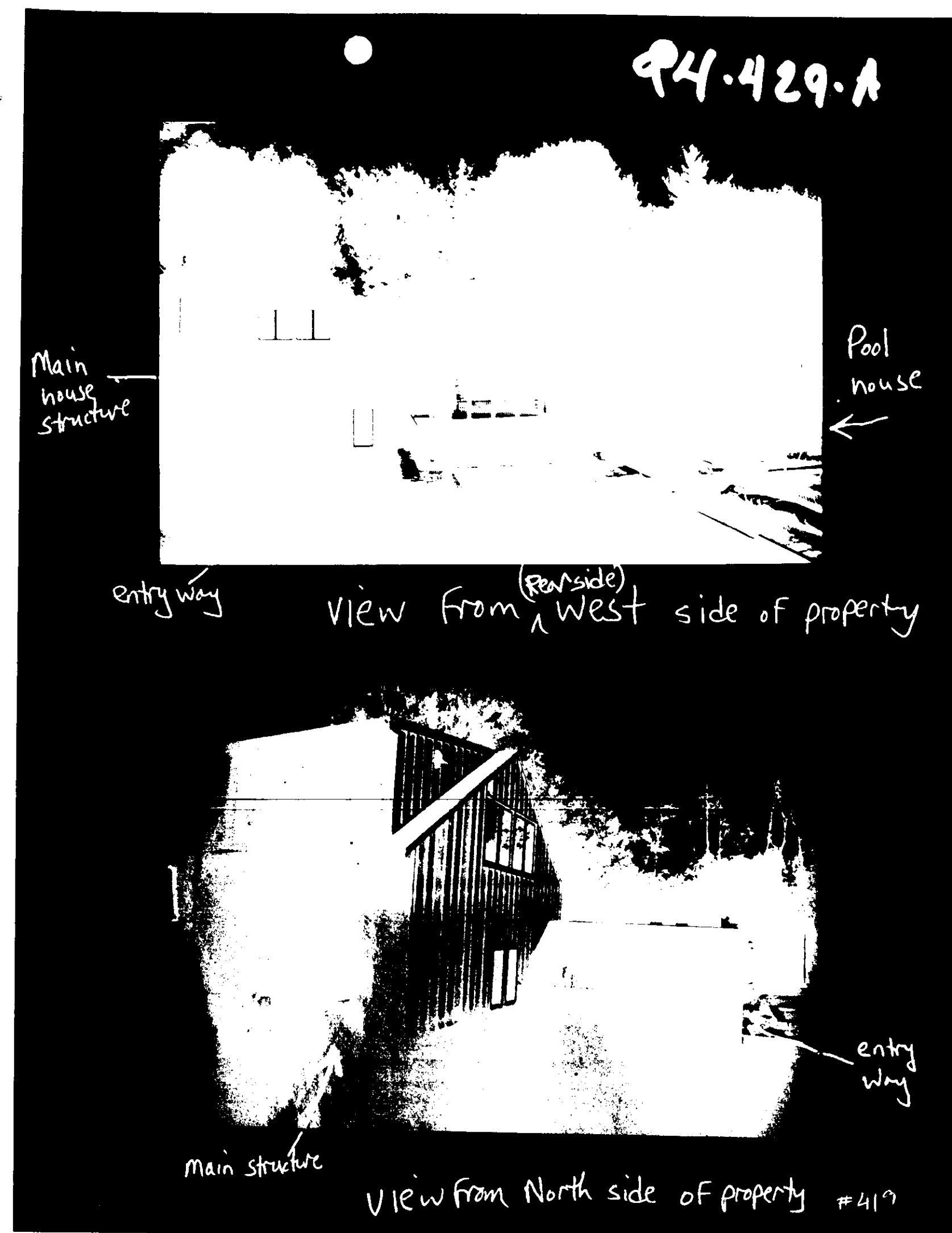
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5-17-94

Ms. Charlotte Minton
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Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

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Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for DAVID N. KATZ, ACTING CHIEF
John Contestable, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/17/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL: 5100-11005

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW

Settlement:

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B. The Fire Prevention Bureau has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 415, 416, 417, 418, 419, 420, 422, 423, 425.

RECEIVED
MAY 18 1994
ZADM

REVIEWER: LT. ROBERT F. SAUBERWALD
Fire Marshal Office, PHONE: 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 18, 1994

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

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Item Nos. 401, 403, 408, 413, 415, 416, 417, 418, 419, 421, 422, 425 and 426.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carol L. Kern*

PK/JL:lw

ZAC 401/PZONE/ZAC1

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 12, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: John and Mary Pabst
906 Rolandvue Avenue
Buxton, Maryland 21204

Re: CASE NUMBER: 94-429-A (Item 419)
906 Rolandvue Avenue
N/S Rolandvue Avenue, 660' W of c/l Halverstone Avenue
9th Election District - 4th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 16, 1994. The closing date (May 31, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

cc: David B. Argento

Printed with Soybean Ink
on Recycled Paper



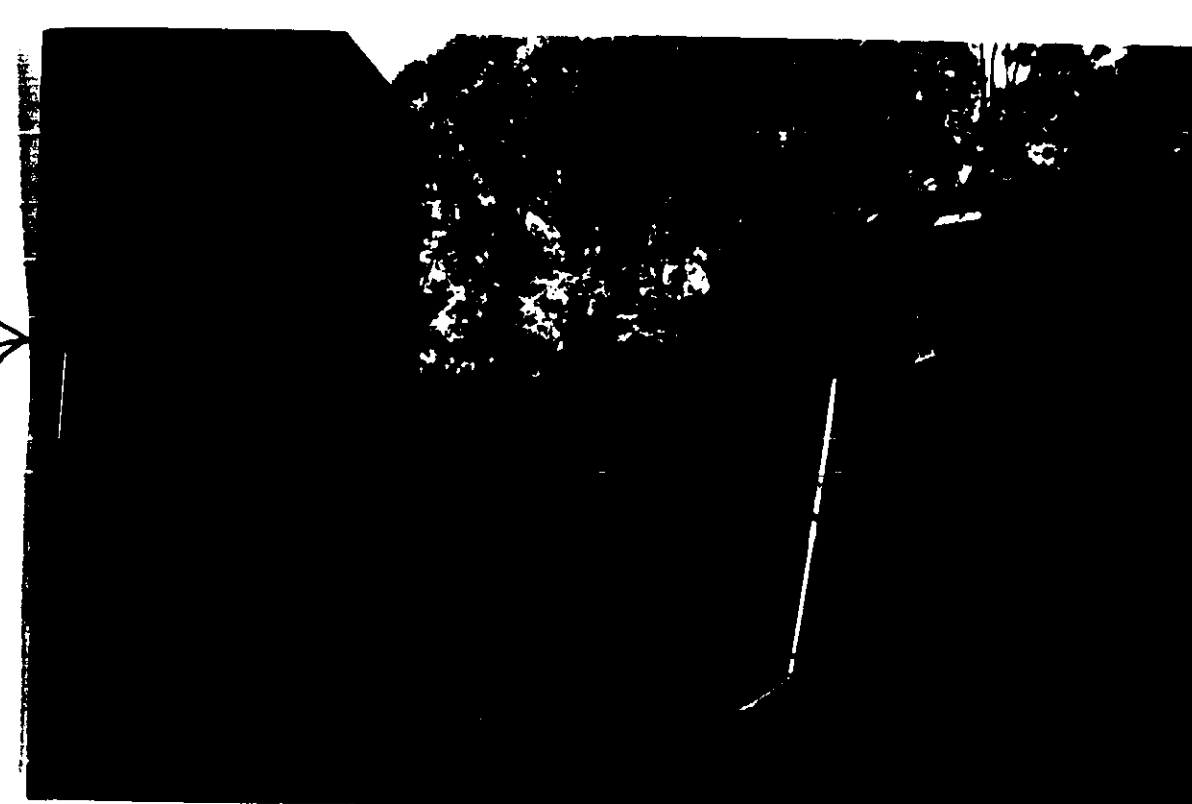
Back yard view from west side of property



back yard view from North West angle of property #419



VIEW FROM South side of Property



closer view from South side of Property #419

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE
ZONING VARIANCE
N/S Rolandue Avenue, 660 ft. W
of 41 Malverne Avenue
906 Rolandue Avenue
9th Election District
4th Councilmanic District
John B. Pabst, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by John B. Pabst and Mary S. Pabst, his wife, for that property known as 906 Rolandue Avenue in the Ruxton section of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (pool house) to be located in the side yard of the property, in lieu of the rear yard, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of June, 1994 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (pool house) to be located in the side yard of the property, in lieu of the rear yard, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:mmm

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Lawrence E. Schmidt

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 2, 1994

Mr. and Mrs. John B. Pabst
906 Rolandue Avenue
Ruxton, Maryland 21204

RE: Petition for Administrative Variance
Case No. 94-429-A
Property: 906 Rolandue Avenue

Dear Mr. and Mrs. Pabst:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 906 Rolandue Ave. Towson, MD 21204
which is presently zoned DR-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 BCZR To Allow accessory structure (pool house) to be located in the side yard of the property in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Due to the topography and configuration of the lot, there is no where else within the boundaries of the back yard to place the pool house without unreasonably preventing the use of the property for its intended purpose. Further, relocating the pool house where it would most practically integrate with the topography, if compelled to do so, would serve to diminish the view now enjoyed by our neighboring neighbors. This structure replaces a 1950's style bunker/fortifier/shed. Also, the owners have gone to great expense and deliberations to construct the pool house so that it is in harmony with the existing residence. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lessee
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner
(Type or Print Name)
Signature
Address
City State Zipcode

Legal Owner(s)
John Brian Pabst
John Brian Pabst
Mary S. Pabst
906 Rolandue Ave. 821-8833
Ruxton MD 21204
David B. Argento
810 Box 215 Union Bridge, MD 876-2723
21791

A Public Hearing having been requested and/or found to be required, it is ordered, by the Zoning Commissioner of Baltimore County, this day of June, 1994, that the subject matter of this petition be set for a public hearing, advertised, or requested by the Zoning Regulations of Baltimore County, in the newspaper of general circulation throughout Baltimore County, and that the property be reported.

REVIEWED BY: 8/4 DATE: 5/2/94
ESTIMATED POSTING DATE: 5/15/94

Printed with Softpen Ink on Recycled Paper

ITEM #: 419

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does presently reside at 906 Rolandue Avenue, Ruxton, Maryland 21204.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

Due to the topography and configuration of the lot, there is no where else within the boundaries of the back yard to place the pool house without unreasonably preventing the use of the property for its intended purpose. Further, relocating the pool house where it would most practically integrate with the topography, if compelled to do so, would serve to diminish the view now enjoyed by our neighboring neighbors. This structure replaces a 1950's style bunker/fortifier/shed. Also, the owners have gone to great expense and deliberations to construct the pool house so that it is in harmony with the existing residence.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

David B. Argento
David B. Argento
Notary Public for the State of Maryland

I HEREBY CERTIFY, this 24 day of APRIL, 1994, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

David B. Argento

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notary Seal.

4/29/94

My Commission Expires: 5-1-96

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 906 Rolandue Avenue, Ruxton
Election District 9 Councilmanic District 01

Beginning at a point on the North side of Rolandue Avenue (north, south, east or west)

which is 660' West of the E. Malverne Ave (number of feet of right-of-way width)

wide at a distance of (number of feet) (north, south, east or west) of the centerline of the nearest improved intersecting street (name of street)

which is (number of feet of right-of-way width) wide. *Being Lot #

Block N/A, Section # N/A in the subdivision of N/A as recorded in Baltimore County Plat

Book # 5469, Folio # 468, containing 25.657 sq. ft. or 0.589 acres.

Then 304.12' ± North to pt of beginning - 0° 03' 02" 30" W 94.22'

② 710° 00' 10" E 104' ± ③ 573° 51' E 272.32' ④ 526° 56' W 94.94' ⑤ 173° 25' E 104' ±

*If your property is not recorded by Plat Book and Folio Number, W-48, 69, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed

Liberty, Folio " and include the measurements and 127.25 TO

directions (metes and bounds only) here and on the plat in the Beginning point.

Example of metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 27' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

419

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9A Date of Posting 5/13/94
Posted for: Variance
Petitioner: John & Mary Pabst
Location of property: 906 Rolandue Ave, N/S, 660' of Malverne Ave
Location of Sign: Placed on property being zoned
Remarks: [Signature]
Posted by: [Signature] Date of return: 5/19/94
Number of Signs: 1



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: 8-001-4180

Number 419

Date 5/2/94

Pabst -- 906 Rolandue Ave.

OIO - Variance \$50.00

OIO - Sign \$35.00

\$85.00

0340380077H1HCRC
BA C002153PH05-02-94

\$85.00

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be assessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 419

Petitioner: John Brian & Mary Pabst

Location: 906 Rolandue Avenue, Ruxton, MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: David B. Argento

ADDRESS: P.O. Box 215, 2 WHITE STREET

UNION BRIDGE, MARYLAND 21791

* PHONE NUMBER: 401-836-4123

*MUST BE SUPPLIED